



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/830,098	04/23/2004	Tomomichi Obara	1081.1201	7523
21171 7590 03/08/2011				
STAAS & HALSEY LLP				
SUITE 700				
1201 NEW YORK AVENUE, N.W.				
WASHINGTON, DC 20005				
EXAMINER				
VU, TUAN A				
ART UNIT		PAPER NUMBER		
2193				
MAIL DATE		DELIVERY MODE		
03/08/2011		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/830,098

Applicant(s)

OBARA ET AL.

Examiner

TUAN A. VU

Art Unit

2193

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3, 7-9, 11, 13 and 17-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 7-9, 11, 13, 17-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-945)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to the Applicant's response filed 12/20/10.

As indicated in Applicant's response, claims 1, 11 have been amended. Claims 1, 3, 7-9, 11, 13, 17-19 are pending in the office action.

Double Patenting

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 1, 11 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 5, 12 of U.S. Patent No. 7,131,577 (hereinafter '577) in view of *Drummond et al*, USPN: 7,025,255.

Although the conflicting claims are not identical, they are not patentably distinct from each other because of the following observations. Following are but a few examples as to how the certain claims from the instant invention and from the above copending application are conflicting with each other.

As per instant claim 1, '577 claim 5 also recites Web server and performing guide display, transaction operation including a display unit, a plurality of I/O units, a control unit controlling the guide display of the screen content according to object embedded in said screen

content from the Web server, wherein the control unit calls method and controls sequence of said plurality of I/O units for said method; wherein said control unit calls up a method for 'each processing controlling the synchronization of said plurality of I/O units according to the script ... synchronization of said plurality of I/O units'. '577 Claim 5 recites interpreting a applet tag of an embedded object, which might not be identical to instant claim 1 reciting of 'interpreting a script of said object embedded in said screen content ... calls up a method for each processing ... controlling synchronization' even though '577 does not explicitly recite: browser having *synchronous agent applet ... method program defined for each processing of said transaction..., said method programs synchronously controlling ... said browser ... interprets ... and calls up ... said method programs of said ... applet according ...script ... applet tag, each called method ... issuing said I/O command to said plurality of I/O controllers for controlling a synchronization of said plurality of I/O units designated by said method program and receiving a reply from said plurality of I/O units.*

Using a browser to interpret a content via interpreting script tag that embeds method call that invoke objects to perform I/O operations via sending commands and receiving returned data is disclosed in Drummond (col. 10 line 15 to col. 11 line 12) where screen guide tag includes embedding of script objects and method calls thereof; i.e. whereby to invoke additional applets that effectuate communication control and synchronization. One of ordinary skill in the art would recognize that '577 claim 5 does contain an obvious language variation of instant claim 1 from above via '577 interpreting a tag of a applet interpreting a embedded object in said screen content, and would be motivated to apply a browser interpreting of script as taught in Drummond to effectuate synchronization of I/O as mentioned in '577 from above for calling the methods of

objects or applet embedded in script so that browser parsing a screen creation program described a HTML form enables interpretation of tags as taught in '577.

As per instant claim 11, this claim corresponds to instant claim 1, while '577 claim 12 corresponds to '577 claim 5; hence, '577 claim 12 would be an obvious variant of instant claim 11, based on the analysis as set forth above.

4. Claims 1, 11 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 3, 12 of copending Patent Application No. 11,103,450 (hereinafter '450) in view of Drummond et al, USPN: 7,025,255. Although the conflicting claims are not identical, they are not patentably distinct from each other because of the following observations.

As per instant claim 1, '450 claim 3 also recites Web server and performing guide display, transaction operation including a display unit, a plurality of I/O units, a control unit controlling the guide display of the screen content according to object embedded in said screen content from the Web server; wherein said control unit calls up a method for controlling said plurality of I/O units by the script embedded in said screen content, said unit comprising a browser which interprets said script in processing units of the operation for synchronously controlling said I/O units. '450 does not recite: *browser having synchronous agent applet ... method program defined for each processing of said transaction..., said method programs synchronously controlling ... said browser ... interprets ... and calls up ... said method programs of said ... applet according ...script ... applet tag, each called method ...* issuing said I/O command to said plurality of I/O controllers for controlling a synchronization of said

plurality of I/O units designated by said method program and receiving a reply from said plurality of I/O units.

However '450 claim 3 recital of “calls up a method of an applet for controlling said I/O unit ... by the script embedded in said screen content” ‘synchronously suggests the ‘synchronization’ and calling a method of applet inside a tag content of page of instant claim 1. Based on Drummond’ s teaching of browser interpreting tag content and invoking commands in conjunction with applets to convey data between I/O and user interface (see col. 10 lines 27 to col 11 line 12) one of ordinary skill in the art would recognize that ‘450 does contain an obvious language variation of instant claim 1 in terms of ‘450 claim 3’s processing a embedded object of script in screen content so as to provide said controlling so that I/O operate synchronously and would be motivated to use a browser and a creation program as taught in Drummond from above for calling the methods of objects or applet embedded in script in terms that the browser parses a screen creation program described a HTML form enables interpretation of tags as taught in ‘577.

As per instant claim 11, this claim corresponds to instant claim 1, while '450 claim 12 corresponds to '450 claim 3; hence '450 claim 12 would be an obvious variant of instant claim 11, based on the analysis as set forth above.

Claim Objections

5. Claims 1, 11 are objected to because of the following informalities: the terminology recited as “a synchronous agent applet ... for each processing ... transaction operation” is not consistent with the Specifications, where in fact, an ‘agent’ applet is for controlling I/O and synchronization control (Specs: pg. 16), or used as a SYNC agent being called by the tag applet (Specs, pg. 23, middle) for a sync functionality, i.e. the SYNC agent not invoked for each

processing of the transaction operation. A synchronous piece of software/agent (for each processing) and an agent being invoked by a tag applet (per tag basis) to perform just synchronization control cannot be a same concept. The misuse of terminology will be treated with the interpretation that the applet is an embedded agent being invoked during interpreting tag language for the agent to provide some I/O synchronization functionality. Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 3, 7-9, 11, 13, 17-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Drummond et al, USPN: 7,025,255 (hereinafter Drummond).

As per claim 1, Drummond discloses an automatic transaction apparatus for communicating with a Web server (HTTP server – Fig. 5-6; server 134 – Fig 25) and performing guide display and a transaction operation according to an operation of a user (Fig. 25, 27-28), comprising:

a display unit for performing said guide display (e.g. screen 30 – Fig. 2-3, 23-24; Fig. 28-31 – Note: display with integrated event listener via browser/user interface – see touch screen 30, browser 76, interface 32, Fig. 2 -- reads on guide display where graphical event-based activities

guide the user with underlying and coordinated of object/code invocations to operate on the related interface units – interfaces, card reader cash dispenser, printer, Fig. 2);

a plurality of I/O units for performing said transaction operation (e.g. I/O 36, Fig. 2) and comprising at least a cash processing unit, a medium handling unit, a user input unit and a card processing unit (e.g. interfaces 36 – Fig. 2-3; card reader, cash dispenser. touch screen, browser script, device in. software, keyboard depository – Fig. 5-6; Fig. 28); and

a control unit for controlling the guide display of the screen of said display unit (e.g. touch screen 30, browser 76, interface 32, Fig. 2; browser 76 -Fig. 23) according to a screen content from said Web server (e.g Java applet, Java script 84, java environment 80, browser 78 – Fig. 2; HTML documents that are received - col. 10 line 28 to col. 11 line 12; application portion 84 ... related to operations of devices 36 – col. 10 lines 37-53), and controlling said plurality of I/O units according to an applet tag (e.g. col. 38 lines 19-25 – Note: tagged HTML with directors implemented as embedded handlers, each associated with a Java applet or JVscript, and invoked by a backstage manager – see Fig. 25-26; java script - col. 45 lines 25-27 – reads on applet tag or embedded script object) and script embedded in said screen content (applets 86, Javascript 82, Java program 70, SW interface 66, Fig. 2; Fig. 29-30; Fig. 39 to Fig. 54; col. 10 line 28 to col. 11 line 12; java applets, Javascript - Fig. 3-24) , wherein said control unit comprises:

a plurality of I/O controllers, each I/O controller (see device manager 64, reader, keyboard, dispenser, depository, printer 36 – Fig. 3) controlling a corresponding one of said I/O units according to a type of I/O command (e.g. applets 86, Javascript 82, Java program 70, sw interface 66, Fig. 2; Fig. 29-30; Fig. 39 to Fig. 54; col. 10 line 28 to col. 11 line 12; col. 9 lines

25-58; terminal directors – col. 48 lines 17-30 – Note: terminal directors -- col. 38 lines 19-25 – and embedded applet class – col. 10 lines 52-61, col. 11 lines 8-12 - to handle transaction based on HTML document to realize withdrawal or account transfer across I/O devices 36 -- col. 10 lines 37-53 -- reads on I/O controller and Java beans/applet commands); and

a browser having a synchronous agent applet (refer to Claim Objection) comprising a plurality of method programs for each processing of said transaction operations, each of said method programs synchronously controlling said plurality of I/O units (e.g. Java applets - col. 10 line 50 to col. 11 line 12; directors, applets, bean, ATM objects - col. 48 lines 31-55 – Note: ATM objects - Fig. 52 --implemented in applet/beans defined as executable method/programs being invoked in conjunction with card reader or keyboard or dispenser **read on** method programs included in tag interpretation of embedded applets, the applets or beans defined in the browser script or HTML content – see application 84, Fig. 2-6 - whose method programs are invoked to handle processing of a operation to synchronously control to the I/O units – see Fig. 52; col. 11 lines 8-12 – where processing of page script with tagged/embedded code via director management **reads on** synchronous applet; i.e. within a managed sequence or synchronous effect of applet/bean programs in the HTML content – see ATM object ... methods - col. 49 lines 32-36; see *synchronizing ... director* – col. 50 lines 40-45),

wherein said browser interprets said screen content from said Web server and performs said guide display (col. 38 lines 19-25; Fig. 25-26), and interprets said script and said applet tag embedded in said screen content (col. 10 line 28 to col. 11 line 12; col. 24 line 27-62) and calls up one of said method programs of said synchronous agent applet (col. 48 lines 18-20, 42-55; Fig. 39) according to said script and said applet tag (e.g. col. 10 line 50 to col. 11 line 12;

terminal directors - col. 38 lines 19-25; col. 48 lines 17-30; *group of applets ... loading programs ... address values on the terminal software* ; see col. 22 lines 24-44; director, HTML page, ATM objects - col. 49 lines 57 to col. 50 line 52 – Note: ATM objects implemented as beans or applets to support dispense of cash via interpretation or navigation of a backstage parser as to invoke objects method/programs for a synchronized sequence reads on invoking method of synchronous applet by the browser; e.g. interpreting a script),

each called method program issuing I/O commands to said plurality of I/O controllers, synchronously controlling said plurality of I/O units designated by said called method program, and receiving a reply from said plurality of I/O units (col. 10 line 28 to col. 11 line 12 – Note: method being invoked pertain to constructs inside javascript – JVsript commands or embedded applets - of HTML which serve as guide or creation program; that is, the method pertinent to more bean/applets - col. 48 lines 18-41 - responsible for control and communication between user and I/O units and controls -- see javascript, Java applet - col. 24 line 27-55; col 45 line 20 to col 46 line 4 –from parsing script constructs to invoking underlying applets to effectuate I/O operations – e.g. col. 22 lines 24-44; card reading, instructs lower device to deliver card data or to print a receipt - **read on** synchronizing of I/O devices, including controlled issue commands and responses - col. 9 lines 25-58; col. 13 line 52 to col. 14 line 42).

As per claim 3, Drummond discloses wherein said control unit transmits a request to said Web server according to a post request (*message ... to print a customer's receipt* - col. 24 line 27-62; col. 37 lines 3-18; *script ... backstage applet ... make requests .. available servers* - col. 38 lines 64 to col. 39, line 42; Fig. 5; col. 13, lines 40-51; col. 14, lines 3-10) by said method program called up method (refer to claim 1 for bean/applet Java method; col. 24 line 27-62).

As per claim 7, Drummond discloses wherein said control unit specifies said plurality of I/O units for which synchronization is controlled by said method program according to input parameters attached to said script (e.g. *HTML document ... address data and/or other parameters* - col. 26, lines 27-41; . *embedded Java script instructions ... cause dispense of currency* - Fig. 11 and related text – Note: instructions prompting user to enter PIN or to get dispensed currency reads on specifying which I/O unit under control by the underlying embedded Java Script calls or applet/bean or Java program methods).

As per claims 8-9, Drummond discloses wherein said browser creates said guide display screen by a screen creation program described by a page description language (col. 38 lines 19-25 – Note: tagged HTML with directors implemented as embedded handlers, each associated with a Java applet or JVsript, and invoked by a backstage manager – see Fig. 25-26; java script - col. 45 lines 25-27 – reads on description language page; col. 17 line 64 to col. 18 line 15; col. 20, line 55 to col. 21 line 3; col. 13 lines 56-65) of said screen content, calls up said method program (refer to claim 1) and controls the synchronization of said plurality of I/O units (refer to claim 1);

wherein said browser creates said guide display screen calls up the corresponding method program (refer to claim 1) by interpreting the script (col. 24 line 27-62; *HTML document ... embedded Java script... Java applet --* col. 13 lines 56-65; col. 27, lines 45-48) and applet tag and controls the synchronization of said plurality of I/O units (refer to claim 1)

As per claim 11, Drummond discloses an automatic transaction system comprising: a Web server; and an automatic transaction apparatus which is connected to said Web server (refer to claim 1) via a network for communicating with said Web server and performing guide display

and a transaction operation according to an operation of a user (refer to claim 1), wherein said automatic transaction apparatus comprises:

a display unit for performing said guide display(refer to claim 1); a plurality of I/O units for performing said transaction operation and comprising at least a cash processing unit, a medium handling unit, a user input unit and a card processing unit(refer to claim 1); and

a control unit for controlling the guide display of the screen of said display unit according to a screen content from said Web server, and controlling said plurality of I/O units according to an applet tag and script embedded in said screen content(refer to claim 1), wherein said control unit comprises:

a plurality of I/O controllers, each I/O controller (refer to claim 1) controlling a corresponding one of said I/O units according to a type of I/O command(refer to claim 1); and

a browser having a synchronous agent applet(refer to claim 1, refer to Claim Objection) comprising a plurality of method programs for each processing of said transaction operations, each of said method programs synchronously controlling said plurality of I/O units(refer to claim 1),

wherein said browser interprets said screen content from said Web server and performs said guide display, and interprets said script and said applet tag embedded(refer to claim 1) in said screen content and calls up one of said method programs of said synchronous agent applet according to said script and said applet tag(refer to claim 1),

each called method program issuing I/O commands to said plurality of I/O controllers, synchronously controlling said plurality of I/O units designated by said called method program, and receiving a reply from said plurality of I/O units(refer to claim 1).

As per claims 13, 17-19, these claims correspond to claims 3, 7-9, respectively; hence will be addressed via incorporating the corresponding rejections set forth therein

Response to Arguments

8. Applicant's arguments filed 12/20/10 have been fully considered but they are not persuasive. Following are the Examiner's observation in regard thereto.

(A) Applicants have submitted that Sync Object for connecting I/O events in Drummond distinguishes 'method programs issuing commands ... I/O controllers for ... synchronization of ... I/O units' as claimed (Applicant's Remarks pg. 7, top). It has been shown in Drummond that the Sync Object is for synchronizing I/O events when coordinated by director code and tag applet invocation, and this teaching is further provided by the path synchronizing by object 284 in Fig. 39 and the Timer method, synch timeout and Wait property in Fig. 52 by Drummond. The Sync method programs based on a applet is clearly about synchronizing of events at the I/O level. The argument is not persuasive.

(B) Applicants have submitted that the invention is about "faster ATM processing" in tying "each processing of said transaction operation" closely to 'plurality of I/O controllers ... each controller corresponding to ... I/O units', tying by issuing commands to said I/O controller in quick succession (Applicant's Remarks pg. 8) in that there is no layer between method software and the I/O controllers. There is no clear mechanism in the claim that enforces a complete absence of layer between method calls (at the tag applet level) and I/O controller like printer driver, dispenser driver, card reader driver, or I/O peripherals device drivers. One cannot see how the claim language is patentable when the above remark (i.e. I/O controllers receiving commands in succession without any layer between method and the I/O onrollers) does not duly

reflect the claim language as it is exactly phrased, nor does it remotely allude to deficiency caused by Drummond's cited portions in relation to their being used to match a specific claimed limitation (Emphasis added). The added language regarding "synchronous agent with method programs for each processing" (of each said transaction) is deemed deficient with lack of parallel from the Disclosure; and any argument that remotely refers to this added language is construed as not commensurate with the previous Office Action, hence would become moot in light of the current Office Action, which has been effectuated to respond to the added language.

In all, the claims as presented submitted stand rejected as set forth in the Office Action.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A Vu whose telephone number is (571) 272-3735. The examiner can normally be reached on 8AM-4:30PM/Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lewis Bullock can be reached on (571)272-3759.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-3735 (for non-official correspondence - please consult Examiner before using) or 571-273-8300 (for official correspondence) or redirected to customer service at 571-272-3609.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Tuan A Vu/

Primary Examiner, Art Unit 2193

March 03, 2011